THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.7779 of 2006

DATED: 26.06.2006

Between:
Kasim Sharief .. PETITIONER

versus

Municipal Corporation of Hyderabad, Tank Bund,
Hyderabad represented by its Commissioner
and another. .. RESPONDENTS

WRIT PETITION NO.7779 of 2006

ORDER:

Heard both the learned counsel.

2. Smt.Jyothi Kiran, learned Standing Counsel for Muncipal Corporation of Hyderabad, states that inasmuch as this is a private dispute between the petitioner and the 2nd respondent, the question of invoking Section 451 of Hyderabad Municipal Corporation Act, 1955 will not arise. The learned counsel also would contend that even otherwise Section 451 of the aforesaid Act is concerned with the inspection during construction, but the present construction was made long back. However, Smt.M.Renuka, learned counsel for the writ petitioner, would submit that this is not a purely private dispute and in the light of several facts which had been well explained in the affidavit filed in support of the Writ Petition, the 1st respondent is bound to initiate action in accordance with law. It is also stated that the petitioner also made a representation on 8.5.2006 in this regard.

3. In view of the facts and circumstances, the 1st respondent to consider the representation of the petitioner dated 8.5.2006 and pass appropriate orders within a period of two (02) months from the date of receipt of a copy of this order. No costs.

26.06.2006

SSR